(Spl. - H.C.A.S. C.D., 78-e)
FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI – GOA
APPELLATE SIDE
WRIT PETITION NO. 594 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. Girish Sardessai, Advocate for the petitioner.

Ms Winnie Coutinho, Addl. Central Government Standing Counsel for respondent No.1.

Mr. E.P. Badrinarayanan, Addl. Central Govt. Standing Counsel for respondent No.2.

CORAM : A.P. LAVANDE, J.

DATE : 25th February, 2005.

P.C.

Ms. Coutinho, learned Addl. Central Govt. Standing Counsel appearing for respondent No.1 has placed on record a copy of the order appointing the Appellate Authority. Mr. Sardessai, learned Counsel appearing for the petitioner does not dispute this position.

2. In view of the constitution of the

Appellate Authority, I am not inclined to entertain this petition. Mr. Sardessai states that the petitioner would like to file an appeal against the impugned Order to the Appellate Authority. In the event the petitioner chooses to file an appeal, within a period of one month from today, the Appellate Authority shall decide the same in accordance with law, without raising issue of limitation.

3. Mr. Sardessai points out that pursuant to Order dated 29th December, 2004, the petitioner has deposited an amount of Rs.13,22,926/- . The learned Counsel submits that the interim Order dated 29.12.2005 be continued for a further period of one month, so as to enable the petitioner to file the appeal before the Appellate Authority. Ms. Coutinho, the learned Counsel appearing for the

respondent has no objection if the interim order is continued for a period of one month, subject to the condition that the petitioner is not permitted to withdraw the amount already deposited in this Court.

4. In view of the above, the interim Order dated 29.12.2004 granted by this Court shall continue for a period of one month from today. The petitioner will not be entitled to withdraw the amount already deposited in this Court till an interim order is passed by the Appellate Authority. After the Appellate Authority passes an interim order, liberty to the petitioner to apply for withdrawal of the amount already deposited. Writ Petition stands dismissed subject to the observations made above.

A.P. LAVANDE, J.

ssm.